

Assembly Bill No. 492

Passed the Assembly September 12, 2001

Chief Clerk of the Assembly

Passed the Senate September 10, 2001

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to add Section 19844.7 to the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, Oropeza. State employees: precinct board members.

Existing law permits a voter, including a public employee, to take no more than 2 hours off from work for voting, without loss of pay, if a voter does not have sufficient time outside of working hours to vote at a statewide election. Existing law does not permit a state employee to take time off from work, without loss of pay, to serve as a member of a precinct board.

This bill would provide that pursuant to regulations adopted by the Department of Personnel Administration, and subject to the collective bargaining agreement between the state and the employee's exclusive representative, a state employee, as defined, who has been appointed as a member of a precinct board and takes time off from state employment to serve as a member of that precinct board on election day shall receive payment of his or her regular wages or salary for that election day, without forfeiting any compensation received for his or her service as a precinct board member. The eligibility of a state employee to receive time off for these purposes would be subject to the approval of the employee's manager or supervisor and pursuant to the terms of the collective bargaining agreement. The bill would require the department to adopt regulations to implement these provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 19844.7 is added to the Government Code, to read:

19844.7. (a) Pursuant to regulations adopted by the Department of Personnel Administration, and subject to the collective bargaining agreement between the state and the employee's exclusive representative, a state employee who has been appointed as a member of a precinct board and takes time off from state employment to serve as a member of that precinct board on election day shall receive payment of his or her regular wages



or salary for that election day, without forfeiting any compensation received for his or her service as a precinct board member. As used in this section, “state employee” does not include any officer or employee appointed or employed by the Legislature, or any officer, deputy, or employee selected or appointed by an elected state officer.

(b) The eligibility of a state employee to receive time off for the purposes of subdivision (a) shall be subject to approval of the employee’s manager or supervisor and pursuant to the terms of the collective bargaining agreement, when applicable.

(c) The Department of Personnel Administration shall adopt regulations to implement this section. The regulations shall include, among other things, consideration of such items as the impact of the employee’s absence on state services and operations and the documentation necessary for a state employee to establish that he or she has taken time off from state employment to serve as a member of a precinct board and is therefore eligible to receive his or her regular wages or salary as provided in subdivision (a). The regulations required by this section shall be drafted and adopted as soon as practicable.



Approved _____, 2001

Governor

